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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,345	10/21/2003	Ian Stuart Boxall	DYOUP0260US	6646
23908	7590	04/04/2006	EXAMINER	
RENNER OTTO BOISSELLE & SKLAR, LLP			KIM, YOON YOUNG	
1621 EUCLID AVENUE			ART UNIT	
NINETEENTH FLOOR			PAPER NUMBER	
CLEVELAND, OH 44115			1723	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

C1

Office Action Summary

Application No.

10/691,345

Applicant(s)

BOXALL, IAN STUART

Examiner

Yoon-Young Kim

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 10-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>032504</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I, Claims 1-9, in the reply filed on January 19, 2006 is acknowledged. The traversal is on the ground(s) that the other independent claims are sufficiently linked to Claim 1. This is not found persuasive because Group I and Group II are in two different classes.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Galaj et al., U.S. Patent No. 5,059,366.

Regarding Claim 1, Galaj discloses a method of manufacturing a metallic filtration material, comprising the steps of: (a) forming a metallic filtration media (Col. 6, Lines 51-57), and (b) applying a protective coating to the metallic filtration media by either chemical vapour deposition or physical vapour deposition (Col. 7, Line 59 – Col. 8, Line 3).

Regarding Claim 2, Galaj discloses that the metallic filtration media is formed from metal fibres, metal powder, metal wires, woven metal mesh or any combination thereof (Col. 5, Lines 6-13).

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Regarding Claim 3, Galaj discloses the step of forming the metallic filtration material into a filter unit, by providing the filtration media with a supporting structure (Col. 8, Lines 6-10).

Regarding Claim 4, Galaj discloses that the filtration media is applied to part or all of the supporting structure (Col. 8, Lines 6-10).

Regarding Claim 7, Galaj discloses that the filtration media is provided with the supporting structure before the protective coating is applied to the filtration media (Col. 8, Lines 6-23).

Regarding Claim 8, Galaj discloses a step of applying the protective coating to the supporting structure (Col. 8, Lines 6-23).

Regarding Claim 9, Galaj discloses that the filtration media and the supporting structure are provided with the protective coating in the same application process (Col. 8, Lines 6-23).

4. Claims 1, 3, and 5-6 are rejected under 35 U.S.C. 102(b) as being Edlund by U.S. Patent No. 5,498,278.

Regarding Claim 1, Edlund discloses a method of manufacturing a metallic filtration material, comprising the steps of: (a) forming a metallic filtration media (Col. 8, Line 64 – Col. 9, Line 15), and (b) applying a protective coating to the metallic filtration media by either chemical vapour deposition or physical vapour deposition (Col. 10, Lines 45-55).

Regarding Claim 3, Edlund discloses the step of forming the metallic filtration material into a filter unit, by providing the filtration media with a supporting structure (Col. 10, Lines 45-55).

Regarding Claim 5, Edlund discloses that part or all of the supporting structure is applied to the filtration media (Col. 10, Lines 45-55).

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Regarding Claim 6, Edlund discloses that the filtration media is provided with the supporting structure after the protective coating is applied to the filtration media (Col. 10, Lines 45-55).


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yoon-Young Kim whose telephone number is (571) 272-2240. The examiner can normally be reached on 8:30-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on (571) 272-1151. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YK
03/30/06


JOHN S. KIM
PRIMARY EXAMINER